Judge Orders U.S. to Speed Release of Rosenberg Data

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Over repeated protests by a Justice Department lawyer, a federal judge yesterday told the government to hasten its release of documents concerning the Julius and Ethel Rosenberg spy case.

U. S. District Court Judge June L. Green gave the department until Nov. 15 to hand the documents over to the Rosenbergs' sons, who are trying to reopen the 24-year-old case, and to submit reasons if any are withheld.

Jeffrey Axelrad, chief of the Justice Department's information and privacy unit, had asked for 235 days to produce the information.

After the hearing, called to discuss a schedule for release of inventories of the documents and the documents themselves, Robert Meeropol, one of the Rosenbergs' sons, said he was satisfied with the Nov. 15 deadline.

Meeropol and his brother, Michael, took the names of the family that adopted them after their parents were executed in 1953 for passing atomic secrets to the Soviet Union. Both are working to reopen the case and prove their parents were innocent.

At a news conference on the steps of the U.S. District Courthouse, Robert Meeropol, a former anthropolgy professor, called the court order a "small but important step forward."

He said there was a continuing effort to delay release of the documents—"continuing proof that the climate of secrecy of this government has not changed since Watergate."

The government is "stalling because they have something to hide," he said.

Justice Department officials have said they will not use all of the exemptions for withholding documents they are allowed under the Freedom of Information Act, but will refuse to release documents if they would compromise intelligence sources still being used or would invade privacy.

Axelrad told Green during the hearing that the FBI will release 500 pages next week. But he said the process of finding and reviewing the documents was complicated and time-consuming.

The Meeropols' demand for documents from numerous agencies was a "very, very, very massive request," including 21,000 from just the Justice Department's criminal division, Axelrad said.

He suggested a 235-day timetable, which Green rejected as "just not satisfactory."

"We still want to have a decision (on the documents whose release is disputed) by the end of the year," the judge said.

Axelrad said that would be "impossible" and told the judge he would move for extensions of several of the disclosure dates in the telescoped timetable as they approached.

Green said she would require the department to show its efforts to comply with the dates before granting extensions.

She also ordered the department to issue indexes of the material before the files are reviewed for disclosure. The Meeropols had requested the indexes as a safeguard against destruction of documents.

Axelrad objected to the requirement, saying it would slow down the review process. "I think we'll take that chance," Green said.